

Assembly Bill No. 225–Assemblywoman Newby

CHAPTER.....

AN ACT relating to governmental administration; authorizing certain persons to request a court order to make certain personal information in the possession of a county recorder, county assessor or elections official be kept in a confidential manner; making various other changes relating to the procedures for a person to request personal information in the possession of a county recorder, county assessor or elections official be maintained in a confidential manner; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes certain persons and the spouse, domestic partner or minor child thereof, to request a court order to require that a county recorder, county assessor, county clerk, city clerk or the Secretary of State maintain the personal information of the person contained in their records in a confidential manner. (NRS 247.540, 250.140, 293.908) **Sections 8, 16 and 25** of this bill make the lists of persons who are authorized to request such a court order consistent. **Sections 7, 15 and 26** of this bill provide that any order of a court obtained pursuant to existing law authorizes, under certain circumstances, the county recorder, county assessor, county clerk, city clerk or the Secretary of State to keep personal information received subsequent to the date of the court order confidential.

Sections 4, 12 and 22 of this bill set forth a process for a person who is not otherwise authorized under existing law, or a representative of a governmental agency for whom such a person is an employee, to petition the district court to make the personal information of the person that is contained in the records of the county recorder, county assessor, county clerk, city clerk or the Secretary of State confidential. Any such petition must set forth sufficient justification for the request for confidentiality, including, without limitation: (1) evidence of the existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information confidential; or (2) evidence that a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information of the person confidential. Any such order of the court expires 5 years after the date of the order, but may be extended in 5-year increments.

Sections 6, 14 and 24 of this bill make conforming changes to provide that the definitions of “confidential information” include personal information deemed confidential pursuant to **sections 4, 12 and 22**.

Sections 9, 17 and 27 of this bill make conforming changes to provide that if a person who obtains a court order pursuant to **section 4, 12 or 22** requests confidentiality of his or her personal information, the confidential information may only be disclosed in certain circumstances.

Section 19 of this bill makes a conforming change to provide the personal information that has been made confidential pursuant to **sections 4, 12 and 22** is not a public record.



Sections 10, 11, 13, 18-20, 23 and 27-29 of this bill make conforming changes to indicate the proper placement of **sections 4, 12 and 22** in the Nevada Revised Statutes.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Sections 1-3. (Deleted by amendment.)

Sec. 4. Chapter 247 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who is not otherwise described in NRS 247.540 or a representative of a governmental agency, on behalf of a person who is an employee of the governmental agency and is not otherwise described in NRS 247.540, may petition a district court to have personal information of the person that is contained in the records of a county recorder be maintained in a confidential manner. Any such a petition must be based on a sworn affidavit which:

(a) Sets forth sufficient justification for the request for confidentiality, including, without limitation:

(1) Evidence of the existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the county recorder confidential; or

(2) Evidence that a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information contained in the records of the county recorder confidential; and

(b) Sets forth the document numbers of all records of the county recorder that contain confidential information.

2. A petition filed pursuant to this section must be filed under seal and no filing fee may be charged.

3. The district court may order the personal information of the petitioner contained in the records of the county recorder to be confidential if, based on a preponderance of the evidence, the court finds:

(a) The existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the county recorder confidential.

(b) That a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat



was mitigated by making the personal information contained in the records of the county recorder confidential.

4. Any order of a court requiring the personal information of a person contained in the records of the county recorder be maintained in a confidential manner pursuant to this section:

(a) Is sufficient for the person to request that any personal information set forth in a document that is filed with the county recorder subsequent to the court order be maintained in a confidential manner.

(b) Expires 5 years after the date of the order. The county recorder must notify the person at least 6 months before the expiration of the order. The person may submit a request to the district court to extend the order. Any such extension expires 5 years after the date of the extension.

5. Upon receipt of an order obtained pursuant to this section, the county recorder shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

6. As used in this section, "personal information" means:

(a) The home address of a person;

(b) The home address of the spouse, domestic partner or minor child of a person; and

(c) Any telephone number or electronic mail address of a person.

Sec. 5. NRS 247.500 is hereby amended to read as follows:

247.500 As used in NRS 247.500 to 247.600, inclusive, *and section 4 of this act*, unless the context otherwise requires, the words and terms defined in NRS 247.510 and 247.520 have the meanings ascribed to them in those sections.

Sec. 6. NRS 247.510 is hereby amended to read as follows:

247.510 "Confidential information" means personal information deemed confidential pursuant to NRS 247.530 ~~or~~ *or section 4 of this act.*

Sec. 7. NRS 247.530 is hereby amended to read as follows:

247.530 1. Except as otherwise provided in subsection 2, any person or entity listed in NRS 247.540 who wishes to have the personal information of the person or entity that is contained in the records of a county recorder be kept confidential must obtain an



order of a court that requires the county recorder to maintain the personal information of the person or entity in a confidential manner. Such an order must be based on a sworn affidavit by the person or, if an entity, a person authorized to sign on behalf of the entity, which affidavit:

(a) States that the affiant qualifies as a person listed in NRS 247.540 or that the entity on behalf of whom the person is signing qualifies as an entity listed in NRS 247.540;

(b) Sets forth sufficient justification for the request for confidentiality; and

(c) Sets forth the document numbers of all records of a county recorder that contain confidential information.

2. A person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive, may request the county recorder to maintain the personal information of the person in a confidential manner without obtaining a court order pursuant to subsection 1 by submitting to the county recorder:

(a) A sworn affidavit which:

(1) States that the affiant has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive; and

(2) Sets forth the document numbers of all records of a county recorder that contain confidential information; and

(b) Proof that the person has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, including, without limitation, a confirmation letter and a copy of the enrollment card if such documents are issued by the Division of Child and Family Services of the Department of Health and Human Services.

➔ Upon request of the county recorder, the Division shall verify whether a person who has submitted a request pursuant to this subsection has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive.

3. Upon receipt of an order obtained pursuant to subsection 1 or a request made pursuant to subsection 2, a county recorder shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

4. Any order of a court obtained pursuant to subsection 1 may authorize the county recorder to keep personal information confidential in a record that is filed with the county recorder



subsequent to the date of the court order if the person submits a request to the county recorder along with the document number.

Sec. 8. NRS 247.540 is hereby amended to read as follows:

247.540 1. The following persons may request that the personal information described in subsection 1, 2 or 3 of NRS 247.520 that is contained in the records of a county recorder be kept confidential:

- (a) Any justice or judge in this State.
- (b) Any senior justice or senior judge in this State.
- (c) Any court-appointed master in this State.
- (d) Any clerk of a court, court administrator or court executive officer in this State.

(e) Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.

(f) *Any peace officer or retired peace officer.*

(g) Any ~~district attorney or attorney employed by the district attorney who as part of his or her normal job responsibilities prosecutes persons for:~~

~~— (1) Crimes that are punishable as category A felonies; or~~

~~— (2) Domestic violence.~~

~~— (g)} *prosecutor.*~~

(h) Any state or county public defender . ~~{who as part of his or her normal job responsibilities defends persons for:~~

~~— (1) Crimes that are punishable as category A felonies; or~~

~~— (2) Domestic violence.~~

~~— (h)} (i) Any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or any agency in the Executive Department of the State Government.~~

~~{(i)} (j) Any person, including without limitation, a social worker, employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:~~

~~(1) Interacts with the public; and~~

~~(2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.~~

~~{(j)} (k) Any county manager in this State.~~

~~{(k)} (l) Any inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer:~~

~~(1) Who possesses specialized training in code enforcement;~~



(2) Who, as part of his or her normal job responsibilities, interacts with the public; and

(3) Whose primary duties are the performance of tasks related to code enforcement.

~~(m)~~ (m) The spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(k)~~ (l), inclusive.

~~(n)~~ (n) The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(k)~~ (l), inclusive, who was killed in the performance of his or her duties.

~~(o)~~ (o) Any person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

2. Any nonprofit entity in this State that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that the personal information described in subsection 4 of NRS 247.520 that is contained in the records of a county recorder be kept confidential.

3. As used in this section:

(a) "Child protective services" has the meaning ascribed to it in NRS 432B.042.

(b) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.

(c) "Code enforcement" means the enforcement of laws, ordinances or codes regulating public nuisances or the public health, safety and welfare.

(d) "*Peace officer*" means:

(1) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; and

(2) Any person:

(I) Who resides in this State;

(II) Whose primary duties are to enforce the law; and

(III) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.

(e) "Prosecutor" has the meaning ascribed to it in NRS 241A.030.

(f) "Social worker" means any person licensed under chapter 641B of NRS.



Sec. 9. NRS 247.550 is hereby amended to read as follows:

247.550 If a person or entity listed in NRS 247.540 *or a person who obtains a court order pursuant to section 4 of this act* requests confidentiality, the confidential information of that person or entity may only be disclosed as provided in NRS 239.0115 or 247.560 or as otherwise specifically authorized by law.

Sec. 10. NRS 247.580 is hereby amended to read as follows:

247.580 1. A person shall not:

(a) Make a false representation to obtain any information pursuant to NRS 247.500 to 247.570, inclusive ~~[H]~~, *and section 4 of this act*; or

(b) Knowingly obtain or disclose information pursuant to NRS 247.500 to 247.570, inclusive, *and section 4 of this act*, for any use not authorized pursuant to NRS 247.500 to 247.570, inclusive ~~[H]~~, *and section 4 of this act*.

2. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 11. NRS 247.590 is hereby amended to read as follows:

247.590 If a person discloses confidential information about a person or entity ~~[listed in NRS 247.540]~~ in violation of NRS 247.500 to 247.570, inclusive, *and section 4 of this act*, and the person who makes the disclosure knows or reasonably should know that such disclosure will create a substantial risk of bodily harm to the person about whom the information pertains or to a person to whom the entity is providing shelter, as applicable, the person who makes the disclosure is guilty of a misdemeanor.

Sec. 12. Chapter 250 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who is not otherwise described in NRS 250.140 or a representative of a governmental agency, on behalf of a person who is an employee of the governmental agency and is not otherwise described in NRS 250.140, may petition a district court to have personal information of the person that is contained in the records of a county assessor be maintained in a confidential manner. Any such a petition must be based on a sworn affidavit which:

(a) Sets forth sufficient justification for the request for confidentiality, including, without limitation:

(1) Evidence of the existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the county assessor confidential; or



(2) Evidence that a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information contained in the records of the county assessor confidential; and

(b) Sets forth the document numbers of all records of the county assessor that contain confidential information.

2. A petition filed pursuant to this section must be filed under seal and no filing fee may be charged.

3. The district court may order the personal information of the petitioner contained in the records of the county assessor to be confidential if, based on a preponderance of the evidence, the court finds:

(a) The existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the county assessor confidential.

(b) That a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information contained in the records of the county assessor confidential.

4. Any order of a court requiring the personal information of a person contained in the records of the county assessor be maintained in a confidential manner pursuant to this section:

(a) Is sufficient for the person to request that any personal information set forth in a document that is filed with the county assessor subsequent to the court order be maintained in a confidential manner.

(b) Expires 5 years after the date of the order. The county assessor must notify the person at least 6 months before the expiration of the order. The person may submit a request to the district court to extend the order. Any such extension expires 5 years after the date of the extension.

5. Upon receipt of an order obtained pursuant to this section, the county assessor shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

6. As used in this section, "personal information" means:

(a) The home address of a person;



(b) The home address of the spouse, domestic partner or minor child of a person; and

(c) Any telephone number or electronic mail address of a person.

Sec. 13. NRS 250.100 is hereby amended to read as follows:

250.100 As used in NRS 250.100 to 250.230, inclusive, *and section 12 of this act*, unless the context otherwise requires, the words and terms defined in NRS 250.110 and 250.120 have the meanings ascribed to them in those sections.

Sec. 14. NRS 250.110 is hereby amended to read as follows:

250.110 “Confidential information” means personal information deemed confidential pursuant to NRS 250.130 ~~†~~ *or section 12 of this act.*

Sec. 15. NRS 250.130 is hereby amended to read as follows:

250.130 1. Except as otherwise provided in subsection 2, any person or entity listed in NRS 250.140 who wishes to have the personal information of the person or entity that is contained in the records of a county assessor be kept confidential must obtain an order of a court that requires the county assessor to maintain the personal information of the person or entity in a confidential manner. Such an order must be based on a sworn affidavit by the person or, if an entity, a person authorized to sign on behalf of the entity, which affidavit:

(a) States that the affiant qualifies as a person listed in NRS 250.140 or that the entity on behalf of whom the person is signing qualifies as an entity listed in NRS 250.140; and

(b) Sets forth sufficient justification for the request for confidentiality.

2. A person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive, may request a county assessor to maintain the personal information of the person in a confidential manner without obtaining a court order pursuant to subsection 1 by submitting to the county assessor:

(a) A sworn affidavit which states that the affiant has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive; and

(b) Proof that the person has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, including, without limitation, a confirmation letter and a copy of the enrollment card if such documents are issued by the Division of Child and Family Services of the Department of Health and Human Services.

➔ Upon request of the county assessor, the Division shall verify whether a person who has submitted a request pursuant to this



subsection has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive.

3. Upon receipt of an order obtained pursuant to subsection 1 or a request made pursuant to subsection 2, a county assessor shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

4. Any order of a court obtained pursuant to subsection 1 may authorize the county assessor to keep personal information confidential in a record that is filed with the county assessor subsequent to the date of the court order if the person submits a request to the county assessor along with the document number.

Sec. 16. NRS 250.140 is hereby amended to read as follows:

250.140 1. The following persons may request that personal information described in subsection 1, 2 or 3 of NRS 250.120 that is contained in the records of a county assessor be kept confidential:

(a) Any justice or judge in this State.

(b) Any senior justice or senior judge in this State.

(c) Any court-appointed master in this State.

(d) Any clerk of a court, court administrator or court executive officer in this State.

(e) Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.

(f) Any peace officer or retired peace officer.

(g) Any prosecutor.

(h) Any state or county public defender.

(i) Any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or any agency in the Executive Department of the State Government.

(j) Any person, including without limitation, a social worker, employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities ~~interacts~~ :

(1) *Interacts* with the public ; and ~~performs~~

(2) *Performs* tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.



(k) Any county manager in this State.

(l) Any inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer **[who]**:

(1) **Who** possesses specialized training in code enforcement **[;]**;

(2) **Who, as part of his or her normal job responsibilities,** interacts with the public ; and **[whose]**

(3) **Whose** primary duties are the performance of tasks related to code enforcement.

(m) The spouse, domestic partner or minor child of a person described in paragraphs (a) to (l), inclusive.

(n) The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to (l), inclusive, who was killed in the performance of his or her duties.

(o) Any person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

2. Any nonprofit entity in this State that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that the personal information described in subsection 4 of NRS 250.120 that is contained in the records of a county assessor be kept confidential.

3. As used in this section:

(a) "Child protective services" has the meaning ascribed to it in NRS 432B.042.

(b) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.

(c) "Code enforcement" means the enforcement of laws, ordinances or codes regulating public nuisances or the public health, safety and welfare.

(d) "Peace officer" means:

(1) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; and

(2) Any person:

(I) Who resides in this State;

(II) Whose primary duties are to enforce the law; and

(III) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.



(e) "Prosecutor" has the meaning ascribed to it in NRS 241A.030.

(f) "Social worker" means any person licensed under chapter 641B of NRS.

Sec. 17. NRS 250.150 is hereby amended to read as follows:

250.150 If a person or entity listed in NRS 250.140 *or person who obtains a court order pursuant to section 12 of this act* requests confidentiality, the confidential information of that person or entity may only be disclosed as provided in NRS 239.0115, 250.087, 250.160 or 250.180 or as otherwise specifically authorized by law.

Sec. 18. NRS 250.180 is hereby amended to read as follows:

250.180 A county assessor may establish a program whereby a person may request a complete list of the assessor's roll, including, without limitation, any confidential information, by establishing an account with the office of the assessor to facilitate the person's ability to request such information electronically or by written request if the person has submitted to the assessor proof that he or she is eligible to request such information pursuant to NRS 250.160 and a signed and notarized affidavit acknowledging:

1. That the person has read and fully understands the current laws and regulations regarding the manner in which confidential information from the assessor's files and records may be obtained and the authorized use of such information.

2. That the person understands that any sale or disclosure of such information must be in accordance with the provisions of NRS 250.100 to 250.180, inclusive **[H]**, *and section 12 of this act*.

3. That the person understands that the assessor will maintain a record of any confidential information he or she requests.

4. That the person understands the penalties for violating the provisions of NRS 250.100 to 250.180, inclusive **[H]**, *and section 12 of this act*.

5. That the person understands that a violation of any of the provisions of NRS 250.100 to 250.180, inclusive, *and section 12 of this act*, may result in a revocation of his or her privilege to request documents pursuant to this section.

Sec. 19. NRS 250.210 is hereby amended to read as follows:

250.210 1. A person shall not:

(a) Make a false representation to obtain any information pursuant to NRS 250.100 to 250.180, inclusive **[H]**, *and section 12 of this act*; or

(b) Knowingly obtain or disclose information pursuant to NRS 250.100 to 250.180, inclusive, *and section 12 of this act*, for any



use not authorized pursuant to NRS 250.087 or 250.100 to 250.180, inclusive ~~{}~~, *and section 12 of this act.*

2. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 20. NRS 250.220 is hereby amended to read as follows:

250.220 If a person discloses confidential information about a person or entity ~~[listed in NRS 250.140]~~ in violation of NRS 250.100 to 250.180, inclusive, *and section 12 of this act*, and the person who makes the disclosure knows or reasonably should know that such disclosure will create a substantial risk of bodily harm to the person about whom the information pertains or to a person to whom the entity is providing shelter, as applicable, the person who makes the disclosure is guilty of a misdemeanor.

Sec. 21. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,



293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283, 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,



641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, **sections 4, 12 and 22 of this act**, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity



to provide a copy of a public record in an electronic format or by means of an electronic medium if:

- (a) The public record:
 - (1) Was not created or prepared in an electronic format; and
 - (2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

- (1) Give access to proprietary software; or
- (2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 22. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who is not otherwise described in NRS 293.908 or a representative of a governmental agency, on behalf of a person who is an employee of the governmental agency and is not otherwise described in NRS 293.908, may petition a district court to have personal information of the person that is contained in the records of the Secretary of State or a county or city clerk be maintained in a confidential manner. Any such a petition must be based on a sworn affidavit which sets forth sufficient justification for the request for confidentiality, including, without limitation:

(a) Evidence of the existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the Secretary of State or a county or city clerk confidential; or

(b) Evidence that a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information contained in the records of the Secretary of State or a county or city clerk confidential; and



2. *A petition filed pursuant to this section must be filed under seal and no filing fee may be charged.*

3. *The district court may order the personal information of the petitioner contained in the records of the Secretary of State or a county or city clerk to be confidential if, based on a preponderance of the evidence, the court finds:*

(a) *The existence of a threat to the petitioner or the spouse, domestic partner or minor child of the petitioner and that such threat is mitigated by making the personal information contained in the records of the Secretary of State or a county or city clerk confidential.*

(b) *That a threat has existed within the last 5 years to a person who holds a similar position as the petitioner and that such threat was mitigated by making the personal information contained in the records of the Secretary of State or a county or city clerk confidential.*

4. *Any order of a court requiring the personal information of a person contained in the records of the Secretary of State or a county or city clerk be maintained in a confidential manner pursuant to this section:*

(a) *Is sufficient for the person to request that any personal information set forth in the records of the Secretary of State or a county or city clerk subsequent to the court order be maintained in a confidential manner.*

(b) *Expires 5 years after the date of the order. The Secretary of State, county clerk and city clerk must notify the person at least 6 months before the expiration of the order. The person may submit a request to the district court to extend the order. Any such extension expires 5 years after the date of the extension.*

5. *Upon receipt of an order obtained pursuant to this section, the Secretary of State, county clerk and city clerk shall keep such information confidential and shall not:*

(a) *Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or*

(b) *Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.*

6. *As used in this section, "personal information" means:*

(a) *The home address of a person;*

(b) *The home address of the spouse, domestic partner or minor child of a person; and*



(c) Any telephone number or electronic mail address of a person.

Sec. 23. NRS 293.900 is hereby amended to read as follows:

293.900 As used in NRS 293.900 to 293.920, inclusive, *and section 22 of this act*, unless the context otherwise requires, the words and terms defined in NRS 293.902 and 293.904 have the meanings ascribed to them in those sections.

Sec. 24. NRS 293.902 is hereby amended to read as follows:

293.902 “Confidential information” means personal information deemed confidential pursuant to NRS 293.906 ~~†~~ *or section 22 of this act.*

Sec. 25. NRS 293.908 is hereby amended to read as follows:

293.908 1. The following persons may request that personal information contained in the records of the Secretary of State or a county or city clerk be kept confidential:

- (a) Any justice or judge in this State.
- (b) Any senior justice or senior judge in this State.
- (c) Any court-appointed master in this State.
- (d) Any clerk of a court, court administrator or court executive officer in this State.

(e) *Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.*

(f) *Any peace officer or retired peace officer.*

(g) Any ~~district attorney or attorney employed by the district attorney who as part of his or her normal job responsibilities prosecutes persons for:~~

- ~~— (1) Crimes that are punishable as category A felonies; or~~
- ~~— (2) Domestic violence.~~

~~(f)}~~ *prosecutor.*

(h) Any state or county public defender . ~~[who as part of his or her normal job responsibilities defends persons for:~~

- ~~— (1) Crimes that are punishable as category A felonies; or~~
- ~~— (2) Domestic violence.~~

~~(g)}~~ (i) Any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or any agency in the Executive Department of the State Government.

~~(h)}~~ (j) Any person, including without limitation, a social worker, employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:

- (1) Interacts with the public; and



(2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.

~~[(+)]~~ **(k)** Any county manager in this State.

~~[(+)]~~ **(l)** Any inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer:

(1) Who possess specialized training in code enforcement;

(2) Who, as part of his or her normal job responsibilities, interacts with the public; and

(3) Whose primary duties are the performance of tasks related to code enforcement.

~~[(k)] Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by the county or city clerk or registrar of voters in the elections division of the county or city.~~

~~[(+)]~~ **(m)** The spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~[(k);]~~ **(l)**, inclusive.

~~[(m)]~~ **(n)** The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~[(k);]~~ **(l)**, inclusive, who was killed in the performance of his or her duties.

2. As used in this section:

(a) "Child protective services" has the meaning ascribed to it in NRS 432B.042.

(b) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.

(c) "Code enforcement" means the enforcement of laws, ordinances or codes regulating public nuisances or the public health, safety and welfare.

(d) ***"Peace officer" means:***

(1) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; and

(2) Any person:

(I) Who resides in this State;

(II) Whose primary duties are to enforce the law; and

(III) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.



(e) *“Prosecutor” has the meaning ascribed to it in NRS 241A.030.*

(f) *“Social worker” means any person licensed under chapter 641B of NRS.*

Sec. 26. NRS 293.906 is hereby amended to read as follows:

293.906 1. Any person listed in NRS 293.908 who wishes to have personal information about himself or herself that is contained in the records of the Secretary of State or a county or city clerk be kept confidential must obtain an order of a court that requires the Secretary of State or the county clerk or city clerk to maintain the personal information of the person in a confidential manner. Such an order must be based on a sworn affidavit by the person, which affidavit:

(a) States that the affiant qualifies as a person listed in NRS 293.908; and

(b) Sets forth sufficient justification for the request for confidentiality.

2. Upon receipt of such an order, the Secretary of State or a county or city clerk shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

3. Any order of a court obtained pursuant to subsection 1 may authorize the Secretary of State or county or city clerk to keep personal information confidential that is received subsequent to the date of the court order if the person submits a request to the Secretary of State or county or city clerk, as applicable.

Sec. 27. NRS 293.910 is hereby amended to read as follows:

293.910 If a person listed in NRS 293.908 *or a person who obtains a court order pursuant to section 22 of this act* requests confidentiality, the confidential information of that person may only be disclosed as provided in NRS 239.0115 or 293.912 or as otherwise specifically authorized by law.

Sec. 28. NRS 293.916 is hereby amended to read as follows:

293.916 1. A person shall not:

(a) Make a false representation to obtain any information pursuant to NRS 293.900 to 293.914, inclusive **§**, *and section 22 of this act*; or

(b) Knowingly obtain or disclose information pursuant to NRS 293.900 to 293.914, inclusive, *and section 22 of this act*, for any



use not authorized pursuant to NRS 293.900 to 293.914, inclusive ~~{}], and section 22 of this act.~~

2. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 29. NRS 293.918 is hereby amended to read as follows:

293.918 If a person discloses confidential information about a person ~~[listed in NRS 293.908]~~ in violation of NRS 293.900 to 293.914, inclusive, *and section 22 of this act*, and the person who makes the disclosure knows or reasonably should know that such disclosure will create a substantial risk of bodily harm to the person about whom the information pertains, the person who makes the disclosure is guilty of a misdemeanor.

Sec. 30. This act becomes effective upon passage and approval.

